THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :3283 of 2007

DATED:12-03-2007

BETWEEN:

M.Bhupal Reddy.

.....
PETITIONER

AND

The Superintendent of Police,
Sangareddy,
Medak District & 3 others.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the respondents in interfering with the day-to-day activities of the petitioner including preventing the petitioner from agricultural operations in Sy.Nos.388,390, 396 and 397 situated at Kalher village and Mandal, Medak District, as illegal, and arbitrary.

3. It is the case of the petitioner that he has purchased Ac.11.02 gts of land in Sy.No.388; and Ac.13.35 gts of land in Sy.No.390 total admeasuring Ac.24.32 gts situated at Kalher village and mandal, Medak District vide registered sale deed bearing document No.2746/2006, dated 10-11-2006, and since then he is in possession and occupation of the same. He also purchased Ac.25.20 gts in Survey Nos.396 and 397 vide registered sale deed bearing document No.2602/2006, dated 23-11-2006, and he is in possession and enjoyment of the said lands. It is further stated that there is enmity between the petitioner and his brother-M.Vijayapal Reddy, Ex-M.L.A., and at the behest of his brother only the alleged agreement holders of the said lands filed

suits claiming the said property and high-handedly interfering with his possession and enjoyment. It is stated that though initially *status quo* order was passed the same was vacated subsequently by order, dated 19-01-2007, and there is no injunction order subsisting against the petitioner as on today, but the 4th respondent under the influence of the brother of the petitioner, who has set up fictitious persons under the alleged oral agreement of sales, is filing several civil as well as criminal cases and the police are also unnecessarily interfering with the civil disputes.

4. Counter has been filed by the 4th respondent stating that on a complaint filed against the petitioner, Cr.Nos.8/07; 10/07; 11/07; 12/07; 13/07; 16/07 and 14/07 have been registered but the other allegations that the police are interfering with the civil disputes and that the police who are hand in glove with the brother of the petitioner, are harassing him and preventing him from entering into the lands purchased by him are all denied stating that they are false and incorrect.

5. In view of the specific denial by the police that they never interfered with the rights of the petitioner to continue agricultural operations and also never interfered with the civil disputes, the Writ Petition is disposed of directing the police officials not to interfere with the civil disputes of the petitioner pending in various civil Courts, but however, if there is any direction from the civil Court or the Executive Magistrate this order will not preclude the police officials as it is their duty to enforce the order of the Civil Court or the Executive Magistrate, to protect the civil rights of the

legal holders. No order as to costs.

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V.ESWARAIAH,J

12th March, 2007.

Note:

Furnish C.C. of the order
within two days.

B/o

Tsy